

38-5-12

338

WARRANTY DEED

003364

TRANSFER  
TAX  
PAID

THOMAS M. FULLING and AUDREY N. FULLING of Oakland, County of Kennebec and State of Maine for consideration paid, grant to W. MERRITT BUSSIERE and JILL TAYLOR BUSSIERE of Waterville, County of Kennebec and State of Maine with WARRANTY COVENANTS, as joint tenants, the land in Waterville, County of Kennebec and State of Maine, bounded and described as follows, to wit:

A certain lot or parcel of land with the buildings thereon, situate in Waterville, in the County of Kennebec and state of Maine, and being Lot numbered three (3) according to a Plan of Beverly Hills made for Charles F. Poulin by Harry E. Green, C.E., dated January 7, 1946, recorded in the Kennebec County Registry of Deeds, in Plan Book 15, Page 3, to which plan reference is hereby made for a more particular description of the lot herein conveyed.

The above described parcel of land is conveyed subject to the following restrictions lettered from A to I which will be binding upon the said Grantees and all persons claiming or holding under or through said Grantees, and said restrictions shall be deemed as covenants running with the title to said land:

(A) That said land shall be used only for residential purposes and not more than one residence and the outbuildings thereof, such as a garage, shall occupy said land or any part thereof, at any one time, nor shall said lots be subdivided or so sold or leased in parcels, nor shall any building at any time situate on said land be used for business or manufacturing purposes;

(B) That no house for more than two families, and that no house costing less than four thousand five hundred (\$4,500.00) dollars shall be built upon said lots; and that no building, or extension to such building, shall be erected or placed on any part of said land nearer to the street line which said building faces than twenty-five (25) feet;

(C) That any outbuilding including garages, shall not be erected nearer to the street line upon which the house constructed or to be constructed on said Lot shall face than the front part of the main building erected or to be erected on said lot or lots;

(D) That no placards or advertising signs other than such as relate to the sale or leasing of said lot or lots, shall be erected or maintained on said lot or lots or any building thereon;

(E) That no fence or construction of any kind other than a dwelling shall at any time be erected in any position to interfere with view from residences on adjoining lots;

(F) That no cows, horses, goats, swine, hens, or dog kennels shall at any time be kept or maintained on said lot or lots or in any building thereon;

(G) That if the owner of two or more contiguous lots desires to improve said lots as one lot, insofar as such contiguous lots are concerned, the foregoing covenants of restriction shall be construed as applying to a single lot;

(H) That no house or other building shall be erected or placed upon said land nearer to the lines of said land than six (6) feet, and in addition, the following shall be applicable to buildings erected or placed on lots numbered 5, 6 and 32;

(1) No houses, extensions thereto, outbuildings, including garages, or other buildings, shall in any case be erected on lots numbered five (5) and six (6) nearer to the Sidney Road than twenty-five (25) feet;

(2) No houses, extensions thereto, outbuildings, including garages, or other buildings, shall be erected on lot numbered thirty-two (32) nearer to both Franklin Street and Roland Street than twenty-five (25) feet.

The restrictions in this paragraph shall not in any way affect those set forth in paragraphs lettered B and C.

(1) Said lots are conveyed with the foregoing restrictions which are conditions of the conveyance affixed to and running with the land, and applicable to all lots hereafter to be sold by the within Grantor on a Plan of Lots known as Beverly Hills, in Waterville, Maine, aforesaid, and for a violation of the terms hereof, or any of them, by the said Grantee herein named, or any person or persons holding or claiming by, under or through the aforesaid Grantee, the right is expressly reserved to the Grantor, his heirs and assigns, or the owner of any lot or lots on said Plan of Lots known as Beverly Hills to proceed at law or in equity to compel compliance with the terms thereof. The Grantor herein shall not be held responsible for the enforcement of the foregoing restrictions.

Being the same premises conveyed to Thomas M. and Audrey N. Fulling by warranty deed from Frederick G. Berard, Jr. dated May 14, 1974 and recorded in the Kennebec County Registry of Deeds in Book 1727, Page 103.

WITNESS our hands and seals this 16th day of February, 1990.

x D. Burt  
witness

x Thomas M. Fulling  
THOMAS M. FULLING

x D. Burt  
witness

x Audrey N. Fulling  
AUDREY N. FULLING

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THE STATE OF MAINE  
Kennebec, ss.

February 16, 1990

Then personally appeared the above named THOMAS M. FULLING and  
AUDREY N. FULLING and acknowledged the foregoing instrument to be  
their free act and deed.

Before me, x

David R. Butler  
Notary Public

DAVID R. BUTLER  
MY COMMISSION EXPIRES:  
JUNE 21, 1993

RECEIVED KENNEBEC SS.

1990 FEB 21 AM 9:00

WITEST: Thomas R. Butler  
REGISTER OF DEEDS

